

P.I.N.S
05-32-300-014
08-05-027-036

ADDRESS:
LOT 4 OF NOKIA CAMPUS SUBDIVISION
NWC OF NAPERVILLE ROAD & WARRENVILLE ROAD
NAPERVILLE, IL 60563

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #21-1-081

ORDINANCE NO. 21 -

AN ORDINANCE APPROVING FINAL PLATS OF SUBDIVISION FOR NAPER COMMONS - PHASES 1, 2 AND 3

1. **WHEREAS**, Pulte Home Company, LLC, 1900 East Golf Road, Suite 300, Schaumburg, Illinois, 60173 ("**Owner**" and "**Petitioner**") has petitioned the City of Naperville for approval of three final plats of subdivision encompassing approximately sixty-five (65) acres of real property located at the northwest corner of Naperville Road and Warrenville Road within the corporate limits of the City of Naperville ("**City**"), legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**") and known as Lot 4 of the Nokia Campus Subdivision, for a development to be known as Naper Commons; and
2. **WHEREAS**, on April 7, 2020 the Naperville City Council passed Ordinance 20-037, approving a Conditional Use to permit a planned unit development on the Subject Property; and

3. **WHEREAS**, on April 20, 2021, the Naperville City Council passed: (i) Ordinance 21-041 approving the Preliminary Subdivision Plat and Owner's Acknowledgement and Acceptance (OAA) Agreement for Naper Commons (the Subject Property); (ii) Ordinance 21-042 approving the Preliminary Planned Unit Development Plat with certain deviations; (iii) Ordinance 21-043 approving a Conditional Use to permit single-family attached dwelling units in the R2 district; (iv) Ordinance 21-044 approving a Variance to the Exterior Wall Construction requirements of the Naperville Municipal Code; and (v) Ordinance 21-045 approving a Variance to the Stormwater requirements of the Naperville Municipal Code; and
4. **WHEREAS**, the Petitioner intends to develop the Subject Property in three (3) phases ("**Phases**") known as Phase 1, Phase 2, and Phase 3 in order to construct, in total, one hundred and sixty-one (161) single-family detached dwelling units and sixty-six (66) single family attached dwelling units on the Subject Property, and requests approval of a Final Plat of Subdivision for each Phase; and
5. **WHEREAS**, the Final Plat of Subdivision for Naper Commons Phase 1, attached hereto as **Exhibit C**, is in substantial conformance with the corresponding portion of the Preliminary Subdivision Plat for Naper Commons approved by Ordinance 21-041; and
6. **WHEREAS**, the Final Plat of Subdivision for Naper Commons Phase 2, attached hereto as **Exhibit D**, is in substantial conformance with the corresponding portion of the Preliminary Subdivision Plat for Naper Commons approved by Ordinance 21-041; and

7. **WHEREAS**, the Final Plat of Subdivision for Naper Commons Phase 3, attached hereto as **Exhibit E**, is in substantial conformance with the corresponding portion of the Preliminary Subdivision Plat for Naper Commons approved by Ordinance 21-041; and
8. **WHEREAS**, the Owner's Acknowledgement and Acceptance Agreement for Naper Commons Subdivision approved by Ordinance 21-041 shall remain in full force and effect as to the Subject Property, and each Phase thereof, and is incorporated herein in its entirety by reference; and
9. **WHEREAS**, the City Council of the City of Naperville has determined that the Final Plats of Subdivision for Naper Commons Phase 1, Phase 2, and Phase 3 should be approved as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing Recitals are incorporated as though fully set forth in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Final Plat of Subdivision for Naper Commons Phase 1, attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 3: The Final Plat of Subdivision for Naper Commons Phase 2, attached to this Ordinance as **Exhibit D**, is hereby approved.

SECTION 4: The Final Plat of Subdivision for Naper Commons Phase 3, attached to this Ordinance as **Exhibit E**, is hereby approved.

SECTION 5: The Owner's Acknowledgement and Acceptance Agreement for Naper Commons approved by Ordinance 21-041 shall remain in full force and effect as to the Subject Property, and each Phase thereof, and is incorporated herein in its entirety by reference, including but not limited to the provisions set forth in Section 3 (School Donation) and Section 4 (Park Donation) thereof.

SECTION 6: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 7: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

SECTION 8: The City Clerk is authorized and directed to record this Ordinance and its exhibits with the DuPage County Recorder as directed by the City Attorney.

SECTION 9: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk